IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3315 OF 2002

IN

SUIT NO.204 OF 1999

Gokul Construction Co.P.Ltd .. Plaintiff

versus

M/s Business India & ors .. Defendants

and

M/s Business India & ors .. Respondents.

Mr.A.S.Doctor i.b M/s Federal Rashmikant for Plaintiff.

Mr.Amin Kherada for Defendant nos. 1 to 6,9 to 11.

CORAM : D.G. KARNIK, J

DATED : 13th January 2005.

P.C:-

1. After having opposed the request made by learned counsel for defendant nos. 1 to 6 and 9 to 11 for adjournment and after arguing the matter for sometime,

learned counsel for the plaintiff seeks an adjournment. Since the hearing was commenced at the request of the learned counsel forplaintiff, the request is rejected. Thereafter learned counsel for the plaintiff reports no instructions. Hence, Notice of Motion is dismissed for non prosecution.

2. Learned counsel for the plaintiff seeks stay of this order. This being only an order of dismissal for non prosecution, there can be no stay of the order. Request for stay is rejected.

D.G.KARNIK, J